

**ग्र**सा**पा**रस

## EXTRAORDINARY

भाग II-खण्ड 1

PART II-Section 1

प्राधिकार से प्रकाशित

## PUBLISHED BY AUTHORITY

H 0 24

नई विस्ली, शुक्रवार, जून 25, 1971/मावाष्ट्र 4, 1893

NEW DELHI, FRIDAY, JUNE 25, 1971/ASADHA 4, 1893

इस भाग में भिन्न पुष्ठ संख्या वी जाती है जिससे कि यह झलग संकलन के रूप म रखा जा सके । Separate paging is given to this Part in order that it may be filed ин и веригате compilation.

## MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 25th June, 1971/Asadha 4, 1893 (Saka)

The following Acts of Parliament received the assent of the President on the 24th June, 1971, and are hereby published for general information: -

THE GOLD (CONTROL) AMENDMENT ACT, 1971

No. 21 of 1971

[24th June, 1971]

An Act further to amend the Gold (Control) Act, 1968

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Gold (Control) Amendment Act, Short title 1971.

and commence-

- (2) It shall be deemed to have come into force on the 20th day of May, 1971.
- 45 of 1968.
- 2. In section 71 of the Gold (Control) Act, 1968 (hereinafter referred Amendto as the principal Act),---

ment of section 71. \_\_\_\_\_

- (i) for sub-section (1), the following sub-section shall be, and shall be deemed always to have been substituted, namely:—
  - "(1) Any gold in respect of which any provision of this Act or any rule or order made thereunder has been, or is being, or is attempted to be, contravened, together with any package, covering or receptacle in which such gold is found, shall be liable to confiscation:

Provided that where it is established to the satisfaction of the officer adjudging the confiscation that such gold or other thing belongs to a person other than the person who has, by any act or omission, rendered it liable to confiscation, and such act or omission was without the knowledge or connivance of the person to whom it belongs, it shall not be ordered to be confiscated but such other action, as is authorised by this Act, may be taken against the person who has, by such act or omission, rendered it liable to confiscation.";

- (ii) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—
  - "(2) Where any package, covering or receptacle referred to in sub-section (1) contains any goods, such contents shall also be liable to confiscation.
  - (3) Where any gold is liable to confiscation under sub-section (1), it shall be so liable notwithstanding any change in its form, and where such gold is mixed with other goods in such manner that it cannot be separated from those other goods, the whole of such goods, including the gold, shall be liable to confiscation.
  - (4) On and from the commencement of the Gold (Control) Amendment Act, 1971, the proviso to sub-section (1) shall also apply to any gold or other thing which is liable to confiscation under sub-section (2) or sub-section (3).".
- 3. In section 73 of the principal Act, the word "twice" shall be, and shall be deemed always to have been, omitted.
- 4. (1) Where any order made, before the commencement of this Act, for the confiscation of any gold or other thing or giving option to pay fine in lieu thereof is such that it could not have been made if the principal Act, as amended by this Act, were in force on the date on which the said order was made, the officer competent under section 78 to adjudge such confiscation shall, on an application made to him by the person aggrieved by such order, set aside the order of confiscation or, as the case may be, the order giving option to pay fine in lieu of confiscation, and also any order imposing penalty in addition to confiscation or giving option to pay fine in lieu thereof, and make a fresh adjudication in accordance with the provisions of the principal Act, as amended by this Act.
- (2) The power referred to in sub-section (1) shall be exercised by the officer specified therein in relation to the final order of adjudication of confiscation or giving option to pay fine in lieu thereof or imposing any penalty, whether or not such final order was made in appeal under section 80 or in revision under section 81 or section 82.

Amendment of section 73. Reopening of past confiscations. 

- (3) Every application referred to in sub-section (1) shall be made within ninety days from the commencement of this Act or within such further time, not exceeding ninety days, as the officer specified in that sub-section may, on sufficient cause being shown, allow.
- (4) Where, and in so far as, any order for the confiscation of any gold or other thing, or any option given to pay fine in lieu of confiscation, or imposing any penalty is modified or reversed, the officer specified in sub-section (1) shall make an order for such refund or restitution as the circumstances of the case may require:

Provided that where the restitution of any gold or other thing is not practicable, the said authority shall make an order for the payment to the person to whom such restitution is to be made, the market value of such gold or other thing, as on the date on which the fresh adjudication is

- (5) Nothing in this section shall apply to any confiscation made, option given to pay fine in lieu of confiscation, or penalty imposed under Part XII-A of the Defence of India Rules, 1962.
- 5. Notwithstanding any judgment, decree or order of any court, any Validaconfiscation made, penalty imposed or fine levied under the Gold (Con-tion. trol) Act. 1968, before the commencement of this Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, imposed or levied in accordance with the provisions of the Gold (Control) Act, 1968, as amended by this Act.

45 of 1968.

8 of 1971.

6. (1) The Gold (Control) Amendment Ordinance, 1971 is hereby re-Repeal pealed

and savings.

(2) Notwithstanding such repeal, anything done, any action taken or any order made under the said Ordinance shall be deemed to have been done, taken or made under the corresponding provisions of the Gold (Control) Act, 1968, as amended by this Act.

45 of 1968.

## THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) ACT, 1971

No. 22 of 1971

[24th June, 1971]

An Act further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:-

Short title.

1. This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 1971.

Substitution of section 3.

2. For section 3 of the Salaries and Allowances of Officers of section for Parliament Act, 1953 (hereinafter referred to as the principal Act), the following section shall be substituted, namely: --

20 of 1953.

Salaries of officers of Parliament.

"3. There shall be paid to each officer of Parliament a salary of two thousand, two hundred and fifty rupees per mensem.".

Amendment of section 5.

3. In section 5 of the principal Act, the words "and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of two hundred and fifty rupees per mensem" shall be added at the end.

> N. D. P. NAMBOODIRIPAD. Joint Secy. to the Govt. of India.